

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA

Plaintiff,

v.

Civ. No. 12-410 WPL/KBM

\$43,350.00 IN UNITED STATES CURRENCY

Defendant,

And

BYRON SEYMOUR,

Claimant.

**VERIFIED ANSWER TO VERIFIED
COMPLAINT FOR FORFEITURE IN REM**

Claimant answers Plaintiff's complaint as follows:

- 1) Admitted.
- 2) Admitted.
- 3) Admitted.
- 4) Admitted.
- 5) Admitted to Claimant's name, numerical address and street name, state, zip code, and attorney, but Claimant's city of residence is Marshfield, not Mansfield.
- 6) Claimant is without information as to what Agent Perry did before contacting him. Claimant has insufficient knowledge to admit or deny the allegations in paragraph 6 and therefore denies the same.
- 7) Claimant is without information as to what DEA Agents did prior to approaching him.

- 8) Claimant has insufficient knowledge to admit or deny the allegations in paragraph 8 and therefore denies the same.
- 9) Claimant has insufficient knowledge to admit or deny the allegations in paragraph 9 and therefore denies the same.
- 10) Claimant has insufficient knowledge to admit or deny the allegations in paragraph 10 and therefore denies the same.
- 11) Claimant has insufficient knowledge to admit or deny the allegations in paragraph 11 and therefore denies the same.
- 12) Claimant has insufficient knowledge to admit or deny the allegations in paragraph 12 and therefore denies the same.
- 13) Claimant has insufficient knowledge to admit or deny the allegations in paragraph 13 and therefore denies the same.
- 14) Claimant has insufficient knowledge to admit or deny the allegations in paragraph 14 and therefore denies the same.
- 15) Claimant has insufficient knowledge to admit or deny the allegations in paragraph 15 and therefore denies the same.
- 16) Admitted.
- 17) Claimant is without information to admit or deny any canine detection.

Affirmative Defense

The seizure of Claimant and the seizure of his money violated the Fourth Amendment to the United States Constitution. The currency should be suppressed and returned to Claimant.

WHEREFORE, Claimant requests return of the currency, dismissal of this action and costs and attorney fees.

Respectfully Submitted,
KENNEDY LAW FIRM

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I HEREBY CERTIFY that a true and correct copy of the foregoing was served upon all interested parties on the day of its filing via the CME/CF filing system.

Joseph P. Kennedy

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